

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MARIA JOSE PIZARRO,

No: 20-CV-5783 (AKH)

Plaintiff,

- against-

**REQUEST FOR CHANGE
COURT EXHIBIT 5(a)**

EUROS EL TINA RESTAURANT LOUNGE AND
BILLIARDS CORP., SANTIAGO QUEZADA, AND
SANTIAGO QUEZADA, JR.,

Defendants.
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PRELIMINARY STATEMENT

Plaintiff Maria Jose Pizarro, by her attorney, Brustein Law PLLC, respectfully submits this memorandum in support of her motion to change the Summary of Claims as written in Court Exhibit 5(a). The Summary of Claims states in pertinent part that:

Against Defendant Euros El Tina, if Plaintiff proved by a preponderance of the evidence that she was subject to offensive behavior due to being a female that was so severe or pervasive as to alter her employment conditions, you **MAY** find the restaurant liable. If Plaintiff proved by a preponderance of the evidence that she was subject to “less well” treatment due to being a female, creating a hostile work environment during her term of employment at Euros El Tina, you **MAY** find Defendant Euros El Tina liable.

Against Defendant Santiago Quezada Sr., if Plaintiff proved by a preponderance of the evidence that his conduct subjected her to “less well” treatment due to being a female, creating a hostile work environment, you **MAY** find him liable. **EMPHASIS ADDED**

Plaintiff respectfully submits that the words **MAY** should be changed to **MUST**. If Plaintiff proves by a preponderance of the evidence her burden, the jury

has no choice but to find the Defendant liable. Accordingly, Plaintiff respectfully requests that the Summary of Claims be changed in pertinent part to be as follows:

Against Defendant Euros El Tina, if Plaintiff proved by a preponderance of the evidence that she was subject to offensive behavior due to being a female that was so severe or pervasive as to alter her employment conditions, you **MUST** find the restaurant liable. If Plaintiff proved by a preponderance of the evidence that she was subject to “less well” treatment due to being a female, creating a hostile work environment during her term of employment at Euros El Tina, you **MUST** find Defendant Euros El Tina liable.

Against Defendant Santiago Quezada Sr., if Plaintiff proved by a preponderance of the evidence that his conduct subjected her to “less well” treatment due to being a female, creating a hostile work environment, you **MUST** find him liable. **EMPHASIS ADDED**

Plaintiff thanks the Court for its consideration herein.

Dated: New York, New York
October 21, 2023

Yours, etc.,

s/
Evan Brustein
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